

## **REMARKS**

Claims 12-22 are pending in the patent application. Claim 12 is currently amended, with support in the specification on page 9, last paragraph, through page 10, first paragraph; as well as Fig. 2. No new matter is added in claim 12. Dependent claim 20 is currently amended as well. No new matter is added in claim 20. New claim 22 has been added, with support in the specification from original claim 11. No new matter is added in claim 22.

### **Rejections under 35 U.S.C. 102**

Claims 12-14, 17-18, 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2003/0222587 A1 ("Dowling"). Dowling is directed toward a so-called "smart" lighting system, in which lighting elements are modulated more quickly than the eye can respond, and can therefore communicate wirelessly with other equipment in a room.

Amended claim 12 recites the limitation that the first position signal and the first audio signal are transmitted together. In contrast, Dowling does not disclose transmitting the first position signal and the first audio signal together.

Because not all the elements of amended claim 12 are present in Dowling, Dowling does not anticipate claim 12.

Dependent claims 13, 14, 17, 18, 20 and 21 all depend from amended claim 12. Because these dependent claims contain all the limitations of the base claim 12, they are also not anticipated by Dowling.

### Rejections under 35 U.S.C. 103

Claims 15, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling in view of U.S. Patent No. 5,959,529 ("Kail"). Dowling is directed toward a so-called "smart" lighting system, in which lighting elements are modulated more quickly than the eye can respond, and can therefore communicate wirelessly with other equipment in a room. As noted by the examiner, Dowling does not specify using high-frequency transmission, as recited in claim 15. Likewise, Dowling does not specify transmitting in the GPS format, as recited in claim 16. In addition, Dowling does not specify locating the first locating device in a portable compact appliance, as recited in claim 19. Furthermore, Dowling not disclose transmitting the first position signal and the first audio signal together, as recited by amended claim 12.

As noted by the examiner, Kail discloses the desirability of tracking a moving person by having the person carry or wear a portable compact unit and communicating location signals using high-frequency GPS signals as an alternative to triangulation devices. However, Kail does not teach or suggest transmitting the first position signal and the first audio signal together, as recited by amended claim 12.

Because nothing in Dowling or Kail, taken alone or in combination, teaches or suggests transmitting the first position signal and the first audio signal together, as recited by amended claim 12, claim 12 is not obvious over Dowling in view of Kail.

Dependent claims 15, 16 and 19, which depend from amended claim 12 and contain all the limitations thereof, are likewise not obvious over Dowling in view of Kail.

### CONCLUSION

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. The amendments clarify the patentable invention without adding new subject matter. Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,

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